

APPEAL NO. 020379  
FILED MARCH 27, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on January 15, 2002. The hearing officer determined that the appellant (claimant) had disability from August 31, 2001, through September 21, 2001. On appeal, the claimant contends that this determination reflects a typographical error and that the correct disability period should be from July 31, 2001, through September 21, 2001. The respondent (carrier) expresses agreement with the proposed correction to the disability period.

DECISION

Affirmed as reformed.

The disputed issue at the CCH was whether, as a result of the injury sustained on \_\_\_\_\_, the claimant had disability from June 1, 2001, through September 21, 2001. The hearing officer explains in the Statement of the Evidence portion of his decision that the medical records from July 31, 2001, clearly support disability, however, the evidence was insufficient to establish that the claimant had disability from June 2 through July 30, 2001. The hearing officer then determined the following:

FINDINGS OF FACT

2. As a result of the injury of \_\_\_\_\_, Claimant was not unable to obtain or retain employment at wages equivalent to his pre-injury wage from June 2, 2001, through August 30, 2001.
3. As a result of the injury of \_\_\_\_\_, Claimant was unable to obtain or retain employment at wages equivalent to his pre-injury wage from August 31, 2001, through September 21, 2001.

CONCLUSIONS OF LAW

3. Claimant had disability from August 31, 2001, through September 21, 2001.

We agree with the parties that the findings of fact and conclusion of law reflect a typographical error in the starting date of disability. The evidence supports, as noted by the hearing officer in the Statement of the Evidence, that the period of disability began on July 31, 2001. For this reason, and because there is no evidence in the record to support a starting disability date of August 31, 2001, the decision and order are reformed to reflect that the claimant had disability from July 31, 2001, through September 21, 2001.

The decision and order of the hearing officer are affirmed as reformed.

The true corporate name of the carrier **CONTINENTAL CASUALTY COMPANY** and the name and address of its registered agent for service of process is

**CT CORPORATION  
350 NORTH ST. PAUL STREET  
DALLAS, TEXAS 75201.**

---

Chris Cowan  
Appeals Judge

CONCUR:

---

Philip F. O'Neill  
Appeals Judge

---

Robert W. Potts  
Appeals Judge